SINGLE BENCH

C.S.1001 — 003

(1)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P. NO. 09 / 2006

Petitioner : Ram Awadh Singh Bhadauriya
S/o Shri B.S.Bhadauriya,
Aged about 47 years, Posted as Senior Horticulture Development Officer at the Office of Pendra Road, Lalpur, Dist : Bilaspur-(C.G.)

P.R. No. 13/06 Ram Awadh Singh
Present dated 2/1/06

Versus

Respondents :
1. State of Chhattisgarh
Through - Its Secretary
Agriculture Department, D.K.S. Bhawan
Raipur, Mantralaya Raipur, Dist : Raipur-(C.G.)

2. The Director
Agriculture / Horticulture
Raipur-(C.G.)

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3. The Deputy / Asst. Director
Horticulture,
Dist : Raipur-(C.G.)

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF SUITABLE WRIT, WRITS, DIRECTION ETC TO DO JUSTICE IN THE MATTER.

1. Particulars of the Petitioner :

As per the cause title above.

2. Particulars of the Respondents :

As per the cause title above.

3. Particulars of the order against which the petition is directed:-

i) Order No. : F-2-3/Estha/2005/14-1
ii) Order date : 27.12.2005
iii) Passed by : Respondent no.1 (Avar Sachiv)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

020

आदेश पत्रक

मामला क्रमांक W.P. 9/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

3-1-2006

Shri Anil Singh Rajput, counsel for the petitioner.

Shri P.S. Koshy, Dy. Advocate General for the State.

Heard.

Learned counsel for the petitioner submits that the petitioner has been transferred from Lalpur, Pendra Road to Korba vide order dated 27-12-2005 (Annexure-P/1). He further submits that during the ban period the petitioner has been transferred that too without coordination and prior approval of the Chief Minister. He also submits that on being transferred the education of the children of the petitioner would be adversely affected. Learned counsel appearing for the petitioner states that for the present ends of justice will be served if a direction is given to the respondent authorities to decide the representation of the petitioner.

The prayer is not opposed by the State counsel.

Having considered and without expressing any opinion on the merits of the case the petitioner is directed to make a detailed representation raising his grievances before the competent authority of respondents alongwith a copy of the petition and this order within a period of 15 days from today and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within a period of two months from the date of receipt of representation. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law.

Learned counsel for the petitioner submits that till date the petitioner has not been relieved. He prays for grant of interim relief.

In view of the above, it is directed that if the petitioner is not relieved he may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observations, this petition stands disposed of.

Consequently, M.(W.).P.No.4/06 & I.A.No.8/06 also stand disposed of.

Sd/-
Fakhruddin
Judge

Gowri